IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 30TH MARCH 2007 / 9TH CHAITHRA 1929

Bail Appl..No. 1946 of 2007()

CRIME NO.120/2007 OF ANCHALUMMOOD POLICE STATION

PETITOINER

ADARSH B,AGED 18,S/O.SRI.D.BHANU,
NELLUVILA KIZHAKKATHIL,CHITTAYAM,PANAYAM P.O,
PERINAD,KOLLAM.

BY ADV. SRI.B.SURESH KUMAR

RESPONDENTS:

STATE OF KERALA REPRESENTED BY THE
PUBLIC PROSECUTOR,HIGH COURT OF KERALA,ERNAKULAM,
REPRESENTING THE SUB INSPECTOR OF POLICE,
ANCHALUMMOOD POLICE STATION.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 30/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 1946/2007

Dated this 30th day of March, 2007

O R D E R

The petitioner, who is the second accused in Crime No.120/2007 of Anchalummood Police Station for offences punishable under Sections 452, 323 and 324 IPC read with Section 34 IPC, seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. The case of the prosecution is that at about 3.00 a.m on 21.3.2007, the accused persons including the petitioner armed with weapons like iron rod etc, criminally trespassed into the house of the defacto complainant and assaulted him resulting in his sustaining injuries.

4. Having regard to the contention of the petitioner that he is 18 years old and second year student of ITC, Chavara, even though I am not inclined to grant anticipatory bail to the petitioner, I am inclined to permit the petitioner to surrender before the Investigating Officer for interrogation and then to have his application for regular bail ordered by the Magistrate concerned.

5. Accordingly the petitioner is directed to surrender before the Investigating Officer either on 4.4.2007 or on 7.4.2007 for the purpose of interrogation and recovery of incriminating materials if any. The petitioner shall, thereafter, be produced on the same day before the Magistrate having jurisdiction, who shall release the petitioner on bail on appropriate conditions, including one ensuring that he will not commit any offence while on bail.

The application is disposed of as above.

V.RAMKUMAR,
JUDGE

mrcs